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C O N F I D E N T I A L MINSK 001002

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E.O. 12958: DECL: 09/13/2016

TAGS: [PGOV](#) [PHUM](#) [BO](#)

SUBJECT: GOB DENIES ACCESS TO KOZULIN, ANONYMOUS LETTER  
CLAIMS POISONING

REF: MINSK 731

Classified By: Charge Jonathan Moore for reasons 1.4 (b) and (d).

11. (C) On September 8, the Embassy received a diplomatic note from the MFA in response to the Embassy's August 10 request for access to former opposition presidential candidate Aleksandr Kozulin in prison. Charge had traveled to the prison to seek access to Kozulin August 30, but was told that the judge in the case had not granted permission. Attached to the MFA's diplomatic note was a letter signed by Aleksey 14 V. Rybakov (see translated text para 3), the judge who presided over Kozulin's trial (reftel). Rybakov formally denied foreign diplomats access to Kozulin, citing Article 369 of Belarus' Administrative Procedural Code, which allows visitation of convicted prisoners by family members and close relatives. However, the article does not explicitly exclude others from prison access. (Note: The Embassy also requested in a separate diplomatic note access to imprisoned independent NGO Partnership leaders Nikolay Astreyko and Timofey Dranchuk but has received no official response. On September 5, family members of Astreyko and Dranchuk reported that authorities have denied them visitation. End note.)

12. (C) The MFA's note preceded independent media reports regarding a letter purportedly from a group of anonymous BKGB officers who allege that authorities have been poisoning Kozulin's drinking water at Minsk's Volodarskogo detention center. Kozulin's close confidante Oleg Volchek and Kozulin's wife Irina Kozulina voiced identical allegations to Poloffs on August 30 and 31, respectively. However, family members of Astreyko and Dranchuk, who are also imprisoned at the Volodarskogo detention center, expressed skepticism to Poloffs about the allegations. Regardless, we will continue to seek prison access to the former presidential candidate and the Partnership activists as part of our efforts to maintain the international spotlight on the repressive nature of the Lukashenko regime.

13. (C) Begin unofficial translation of Ministry of Justice response

To: Ministry of Foreign Affairs of the Republic of Belarus

From: The Ministry of Justice of the Republic of Belarus,  
Moskovksy District Court

09/04/2006

Outgoing Number: (Missing, which means the letter was not properly logged in the court books; a violation of GOB protocol.)

This is to inform that it is impossible to allow representatives of the American Embassy to visit Aleksandr Vyacheslavovich Kozulin, a Belarusian citizen who is currently in detention in connection with a pending criminal case at the Investigative Detention Center No.1 of the Penitentiary Department of the Ministry of Internal Affairs of the Republic of Belarus. Current legislation does not envisage visits by members of foreign representations of Belarusian citizens-defendants who are in detention. In accordance with Article 369 of the Criminal-Procedural Code of the Republic of Belarus, after the announcement of the verdict and upon their request, family members and close relatives are provided with an opportunity to meet with the defendant.

Judge of Moskovsky District Court of Minsk

A.V. Rybakov  
Moore